

Wetlands Bureau Decision Report

Decisions Taken
07/25/2005 to 07/31/2005

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2003-02664 PINEO, CARROL
SEABROOK Hampton Falls River

Requested Action:

Request relief of project specific condition # 6 to fill an additional 510 sq.ft. of palustrine wetlands to construct a sidewalk along Stard Road.

Conservation Commission/Staff Comments:

No report received from the Seabrook Conservation Commission.

APPROVE AMENDMENT:

Approve request for relief of project specific condition # 6 and amend permit to fill an additional 510 sq.ft. of palustrine wetlands to construct a sidewalk along Stard Road on permit to: Dredge and fill a total of 36,327 sq. ft. of palustrine forested, scrub-shrub, emergent and wet meadow wetlands to construct two roadways with culvert crossings to access a 24-lot residential subdivision on a 72.05 acre parcel of land of which 33.76 acres will be placed, in perpetuity, in a conservation easement as compensatory wetlands mitigation.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 2/6/04 and revised plan dated 8/31/04, as received by the Department on March 11, 2004 and September 01, 2004 respectively.
- 1a. All work on amendment to permit shall be in accordance with plan and narrative from Jones & Beach Engineers, Inc. submitted with amendment request received February 02, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Record this plan with conservation easement for each appropriate lot within 10 days from receipt of this decision and submit a certified receipt from the Rockingham County Registry of Deeds to the DES Wetlands Bureau.
4. NH DES Wetlands Bureau Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Pease Field Office in Portsmouth, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, the professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culvert outlets shall be properly rip rapped.
15. Work shall be done during low flow.

LAND RESOURCES PRESERVATION:

1. This permit is contingent upon the execution of a conservation easement on 33.76 acres as depicted on plans received July 27,

2004.

2. The conservation easement to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the Rockingham County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee (Seabrook Conservation Commission) prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), to dredge and fill a total of 36,327 sq. ft. of palustrine forested, scrub-shrub, emergent and wet meadow wetlands to construct two roadways with culvert crossings to access a 24-lot residential subdivision on a 72.05 acre parcel of land of which 33.76 acres will be placed, in perpetuity, in a conservation easement as compensatory wetlands mitigation.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 25, 2004.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem, and the conservation easement proposed provides compensatory mitigation for the project impacts.

2004-01291 BOW PIONEERS SNOWMOBILE CLUB, DAN WEED
BOW Unnamed Wetland

Requested Action:

Fill approximately 1,016 square feet of palustrine emergent wetlands, for road grading and installation of a bridge, to upgrade an existing Class VI road, known as the Branch Londonderry Turnpike West, adjacent to designated prime wetlands #55 and #56 in Bow for recreational access.

Conservation Commission/Staff Comments:

No comments submitted from the conservation commission.

Inspection Date: 08/04/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Fill approximately 1,016 square feet of palustrine emergent wetlands, for road grading and installation of a bridge, to upgrade an existing Class VI road, known as the Branch Londonderry Turnpike West, adjacent to designated prime wetlands #55 and #56 in Bow for recreational access.

With Conditions:

1. All work shall be in accordance with plans by the applicant dated July 18, 2005, as received by the Department on July 18, 2005.
2. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
3. Work shall be done during low flow.
4. Erosion control and construction sequence notes on the approved plans shall be explicitly followed.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The detailed plans accurately locate the boundary of the wetlands and prime wetlands.
6. The project as approved and constructed in adherence to the provided construction sequence and erosion controls minimizes impacts from any increased runoff created by the development.
7. Based on the inspection conducted on August 4, 2004 by DES Wetlands personnel, the project involves minimal environmental impacts.
8. Based on findings #2, 3, 5, 6 and 7 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Wt 703.01 Criteria for Approval.

Any party may apply for reconsideration with respect to any matter determined in this action within 28 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

2004-01980 **NE INSTALLATION CO INC**
HOOKSETT **Unnamed Wetland**

Requested Action:

Dredge and fill 39,885 square feet of shrub/scrub and emergent wetlands for commercial lot development.

Conservation Commission/Staff Comments:

Conservation Commission recommended approval.

Inspection Date: 09/22/2004 by Dori A Wiggin

Inspection Date: 05/16/2005 by Dori A Wiggin

DENY PERMIT:

Dredge and fill 39,885 square feet of shrub/scrub and emergent wetlands for commercial lot development.

With Findings:

1. On 8/20/2004 the Department of Environmental Services ("DES") received an application from NE Installation Company Inc. to fill 39,885 square feet of shrub/scrub and emergent wetlands for commercial lot development.
2. On 9/22/2004 DES conducted a field inspection of the fill area of the property.
3. On 10/14/2004 DES sent the applicant letter requesting more information, including the following: request that the applicant redesign the project to confine the lot development to the uplands as the proposal submitted did not meet Administrative Rule Wt 302.04(a)(1) relative to demonstrated need, or Rule Wt 302.03(a) relative to avoidance and minimization, or represent the least impacting alternative pursuant to Rule Wt 302.04(a)(2); request that the applicant coordinate with NH Fish and Game Non-Game and Endangered Wildlife Program ("NHFG") with respect to the potential presence of the species of concern, the New England Cottontail, on the site; provide to DES a full set of full-sized plans, which also needed to include the stamp of the certified wetland scientist responsible for the wetlands delineation, a functional assessment of the wetlands on the site, and an appropriate and complete mitigation proposal, none of which was received by DES with the original application.
4. On 12/9/2004 DES conducted a meeting with the applicant to review the request for information and received a copy of the archaeological survey done for the site, and a functional/impact assessment done for the site.
5. On 12/27/2004 DES received a plan showing another potential development scenario of the site as a subdivision from the applicant.
6. On 12/28/2004 DES received a copy of the Town of Hooksett's wetlands inventory map of the site area from the applicant.
7. On 1/7/2005 DES received a revised plan with detail changes but with the same overall wetlands impact from the applicant.
8. On 1/14/2005 DES received an existing conditions plan with a certified wetland scientist stamp on it from the applicant.
9. On 1/21/2005 DES received a copy of a concurrence letter from the NH Division of Historical Resources for this project.
10. On 1/24/2005 DES received comments from NHFG regarding protecting as much shrub habitat on the property as possible for the New England Cottontail.
11. On 1/31/2005 DES received a copy of a correction of a plan detail from the applicant.
12. On 3/2/2005 DES sent the applicant a follow-up letter to the 10/14/2004 request for information letter, seeking further clarification on the inadequacies in the materials DES had received from the applicant thus far, and again requesting the mitigation proposal materials.
13. On 5/16/2005 DES conducted a second field inspection of the site with personnel from US Army Corps of Engineers, and from US Fish and Wildlife Service, and found that the proposed project would excessively impact emergent wetland and shrub/scrub habitat.
14. No further response from the applicant has been received as of July 21, 2005, which exceeds 120 days from the first request for information letter, and further exceeds an additional 90 day extension from the date of the second letter.
15. Pursuant to Administrative Rule Wt 302.04(d), the Department shall not issue a permit if there is a practicable alternative that would have less impact on the areas under the Department's jurisdiction, if the project would result in significant degradation of the wetlands; or cause random or unnecessary destruction of the wetlands.
16. DES finds that this project would result in excessive and unnecessary destruction of the wetlands, and that the applicant failed to demonstrate need, avoid or minimize impacts, or present the least impacting alternative.
17. Pursuant to RSA 482-A:3, if an applicant fails to fully respond to a request for information within 120 days, the application shall be denied.
18. The applicant failed to respond the requests made by DES within the initial 120 days, nor within the additional 90 day extension allowed pursuant to RSA 482-A:3, therefore the application is denied.

2004-02686 MOORE TO THE POINT REVOC TRUST, D. ALDEN MOORE
ALTON Lake Winnepesaukee

Requested Action:

Dredge 26 cu yd from 370 sq ft of lakebed and excavate 21 linear ft of shoreline to construct a 20 ft by 38 ft dug in boathouse, reset 6 boulders on the existing breakwater, and install two bumper piles adjacent to the walkway to the dock on 159 ft of frontage on

Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con. Com. originally recommended denial because proposed structure was too tall for town ordinance. Contractor has amended to 15 ft in height.

APPROVE PERMIT:

Dredge 26 cu yd from 370 sq ft of lakebed and excavate 21 linear ft of shoreline to construct a 20 ft by 38 ft dug in boathouse, reset 6 boulders on the existing breakwater, and install two bumper piles adjacent to the walkway to the dock on 159 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated May 24, 2005, as received by the Department on June 14, 2005 and cross sectional plan dated November 10, 2004, as received by the Department on February 16, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. The boathouse shall be a single-story structure; ridgeline not to exceed 15 ft in height (Elev. 519.32) above normal high water (Elev. 504.32).
6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
7. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
13. The applicant shall replant the area between the western property line and the boathouse as requested by the abutter as per written agreement submitted with the original application materials. Only native or naturalized, non-invasive species shall be planted.
14. Existing rocks which have fallen shall be used for repair of the breakwater. No Additional Rocks.
15. Repair of the breakwater shall maintain existing size, location and configuration.
16. Any blasting required for this project will be conducted by a qualified professional. Particular care shall taken to avoid impacts to the abutting property.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(d), modification of a docking facility that includes a breakwater.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project in 2004. Field inspection determined the area to be of steep slopes close to the 25% limit with ledge which may require blasting.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

2005-00763 NH DEPT OF TRANSPORTATION
MADBURY Bellamy River

Requested Action:

Replace bridge on NH Rte. 155 with a 3 span structure over the B&M Railroad, relocate the intersection of Pudding Hill Rd., remove previously permitted driveway and construct new driveway access to Nicco Road and adjacent parcels impacting 90,570 sq. ft. (28,631 temporary) of palustrine wetlands. Mitigate by providing a 7 acre Conservation Easement. NHDOT project #12922.

Inspection Date: 07/19/2005 by Gino E Infascelli

APPROVE PERMIT:

Replace bridge on NH Rte. 155 with a 3 span structure over the B&M Railroad, relocate the intersection of Pudding Hill Rd., remove previously permitted driveway and construct new driveway access to Nicco Road and adjacent parcels impacting approximately 85,231 sq. ft. (28,631 temporary) of palustrine wetlands. Mitigate by providing a 7-acre Conservation Easement. NHDOT project #12922.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design, as received by the Department on April 21, 2005, except as conditioned below.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and

areas cleared of vegetation to be revegetated as quickly as possible.

12. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

13. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

14. The impacts associated with the temporary work shall be restored immediately following construction.

15. Appropriate mitigation for this project shall be provided for in the future.

16. A culvert shall be installed at impact area FF.

17. There shall be only two access points off Rte. 155 for Eliot Rose drives and no curb cut at Station 101+57 R.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), alteration of more than 20,000 sq. ft. of non-tidal wetlands.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on July 19, 2005. Field inspection determined the bridge is in need of replacement and the design will allow the maintenance of vehicular and railway traffic during construction. The increase in height will meet the vertical clearance required for future rail uses. The wetland delineation was very conservative and the impacts are less than that indicated on the plans submitted.

6. This project will not change the hydrology of the wetland system and therefore not impact the downstream red maple floodplain forest.

7. Inspection finds that there will not be a significant impact on the resources of this palustrine ecosystem as protected by RSA 482-A and therefore a public hearing is not required.

MINOR IMPACT PROJECT

2004-00328 DANIEL PRATT FAMILY HOMES
MONT VERNON Unnamed Wetland

Requested Action:

Fill approximately 11,098 square feet of palustrine forested wetlands to provide access to a proposed 27-Lot residential subdivision know as Heritage Place. Preserve 12 acres in a conservation easement, consisting of approximately 6 acres of jurisdictional wetlands and 6 acres of contiguous upland buffer, as compensatory mitigation for project-related wetlands impacts.

Conservation Commission/Staff Comments:

No comments submitted from the conservation commission

Inspection Date: 05/21/2004 by Jeffrey D Blecharczyk

APPROVE AMENDMENT:

Fill approximately 11,098 square feet of palustrine forested wetlands to provide access to a proposed 27-Lot residential subdivision know as Heritage Place. Preserve 12 acres in a conservation easement, consisting of approximately 6 acres of jurisdictional wetlands and 6 acres of contiguous upland buffer, as compensatory mitigation for project-related wetlands impacts.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc., sheets 1 -15, and 18 - 22, as received by the Department on December 13, 2004, and sheet 16, received by the Department on January 24, 2005 and sheet 17, revised June 2, 2005, as received by the Department on June 16, 2005; and the Preliminary Wetland Mitigation Area plan by Meridian Land Services, as received by the Department on December 13, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Work shall be conducted during low flow.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Proper headwalls shall be installed.
11. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. This permit is contingent upon the establishment of 12 acres of a conservation easement to serve as compensatory mitigation for project-related wetlands impacts.
18. Draft conservation easement language shall be submitted to the Wetlands Bureau for review prior to the start of construction.
19. The boundaries of the 12 acres of a conservation easement serving as compensatory mitigation for project-related wetlands impacts shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
20. Signs to indicate the location of and restrictions on the 12 acres of a conservation easement shall be posted every 150 feet along the boundary of the conservation area.
21. There shall be no removal of the existing vegetative undergrowth within the 12 acres of a conservation easement, and the placement of fill, construction of structures, and storage of vehicles or hazardous materials within said Common Land is prohibited.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 21, 2004. Field inspection determined plans accurately represent the site.
6. The applicant will preserve 12 acres in a conservation easement, consisting of approximately 6 acres of jurisdictional wetlands

and 6 acres of contiguous upland buffer, as compensatory mitigation for project-related wetlands impacts.

7. The required mitigation for an upland buffer is 3.55 acres at a 10:1 ratio.

8. The applicant has provided 12 acres which is approximately 2.5 times greater than required by the DES Wetlands Bureau's Compensatory Mitigation Rules.

9. The application was received prior to the official approval of the compensatory mitigation rules Chapter Wt 800.

10. The Department has determined the proposed project has been designed to minimize impacts to the wetlands.

11. In a letter, dated October 26, 2004, the Town of Mont Vernon stated Meridian Land Services, Inc. shall act as their agent.

12. The applicant submitted an amendment request for a revised driveway crossing for access on June 16, 2005.

13. The net impacts have been reduced by 314 sq ft.

14. The Department has determined the requested amendment is the least impacting alternative for driveway access.

13.

2005-00267 HUCKINS, JOHN & CHERYL
FARMINGTON Unnamed Wetland

Requested Action:

Dredge and fill 9931 square feet of palustrine forested wetland for access to an 18-lot residential subdivision of 49.9 acres.

Conservation Commission/Staff Comments:

The Farmington Conservation Commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill 9931 square feet of palustrine forested wetland for access to an 18-lot residential subdivision of 49.9 acres.

With Conditions:

1. All work shall be in accordance with plans by Crown Point Survey and Engineering LLC, dated January 15, 2005, and revised through June 22, 2005, as received by the Department on June 29, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing

Areas in New Hampshire (August, 1992).

16. Area of restoration shall be regraded to the level of the original hydric soils.
17. Mulch within the restoration area shall be straw.
18. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
19. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Silt fencing must be removed once the area is stabilized.
23. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
24. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h); projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The proposed impacts are all for access to the proposed lots and construction sites. The applicant has utilized common driveways to reduce the overall impact to wetlands.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. DES Staff conducted a field inspection of the proposed project on April 28, 2005. Field inspection determined the wetlands were as described in the report and accurately delineated.
7. The applicant has removed the large detention basin on the common lot, as it is not required by the Alteration of Terrain Program, at the request from DES Wetlands to preserve the upland wetland interface in that area.

2005-00366 BRYANT ROCK LLC
NEWMARKET Lamprey River

Requested Action:

Dredge and fill a total of 548 sq. ft. (45 cu. yds.) of accumulated sediments and fill the remaining portion of a man-made canal located under the building in order to perform necessary structural repairs associated with the rehabilitation and renovation of the existing three-story mill building located on the non-tidal section of the Lamprey River.

Conservation Commission/Staff Comments:

The Newmarket Conservation Commission recommends approval of the project.

Inspection Date: 05/19/2005 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 548 sq. ft. (45 cu. yds.) of accumulated sediments and fill the remaining portion of a man-made canal located under the building in order to perform necessary structural repairs associated with the rehabilitation and renovation of the

existing three-story mill building located on the non-tidal section of the Lamprey River.

With Conditions:

1. All work shall be in accordance with project narrative and plans by NH Soil Consultants, Inc. dated 2/18/05, as received by the Department on February 23, 2005 and revised Construction Sequence of Events and Temporary Erosion and Sediment Control Plans by Altus Engineering dated June 13, 2005 as received by the Department on June 14, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
4. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.
5. Discharge from dewatering of work areas shall be to sediment basins and/or other acceptable BMP methods (e.g. 'Dirtbag') that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer if present.
6. Dredged material shall be appropriately disposed of outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. In accordance with concerns for various diadromous fish runs, the NH Fish & Game Department will allow construction in the DES jurisdictional areas to proceed starting June 15 and to be suspended during late summer/early fall downstream migrations.
10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that the factors listed in Wt 302.04(a) Requirements for Application Evaluation, have been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 19, 2005. Field inspection determined the project is reasonable and necessary to maintain the structural integrity of the existing mill building for the proposed rehabilitation and renovation.
6. The applicant has performed due diligence in addressing the concerns and issues brought forth during the permit review process by the abutter Bryant Rock Condominium Association.
7. Administrative Rule Wt 304.04(a), Setback from Property Lines, is waived with the finding that this project will not have a deleterious affect on the abutter's interests, access or use of their property.

2005-00533 HUSSEY, WAYNE
DEERFIELD Unnamed Wetland

Requested Action:

Dredge and fill a total of 6,545 square feet of wetlands to construct two subdivision roadway crossings.

Conservation Commission/Staff Comments:

Con. Com. did not report.

DENY PERMIT:

Dredge and fill a total of 6,545 square feet of wetlands to construct two subdivision roadway crossings.

With Findings:

1. On 3/23/2005, the Department of Environmental Services ("DES") received an application to dredge and fill a total of 6,545 square feet of wetlands to construct two subdivision roadway crossings. The plans submitted did not show the overall subdivision or the proposed lot lines of the subdivided lots.
2. On 6/2/2005 DES sent the applicant a request for more information letter requesting submission of a copy of the town tax map with the abutters labelled on it; and a subdivision overview plan that showed all phases of the subdivision, and the location of all the wetlands on the property.
3. On 6/22/2005 DES received a sketch of the town tax map, and a "concept sketch" of a master plan of the subdivision, however, review of this material found that roadway layouts were substantially different from that submitted with the original application and did not correspond with the plans submitted showing the wetlands impacts.
4. On 7/20/2005 DES contacted the applicant's agent requesting clarification of this discrepancy.
5. The additional information submitted by the applicant's consultant in response to the Department's 6/2/2005 request fails to address Rule Wt 304.09(a), Subdivisions, and therefore the application is incomplete.
6. The project is denied pursuant to Rule Wt 302.04(d)(5) in that, without submission of the required subdivision information, it is impossible to determine if the project meets the requirements of Part Wt 302 Criteria for Evaluation.

The Department will reconsider this application if the necessary information and corrected plans are provided within 20 days or will accept a new application for the proposed work.

2005-00667 ROCHESTER PUBLIC WORKS DEPT.
ROCHESTER Unnamed Wetland

Requested Action:

Fill 6,390 square feet of palustrine emergent and forested wetlands to upgrade existing community recreational facilities and construct a 7,200 square foot palustrine emergent wetland to offset impacts and provide treatment for runoff

Conservation Commission/Staff Comments:

No comments submitted from the Conservation Commission as of June 21, 2005;

APPROVE PERMIT:

Fill 6,390 square feet of palustrine emergent and forested wetlands to upgrade existing community recreational facilities and construct a 7,200 square foot palustrine emergent wetland to offset impacts and provide treatment for runoff

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated June 29, 2005, as received by the Department on July 1, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent upon the creation of 7,200 sq. ft. of wetlands in accordance with plans received July 1, 2005.
4. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
10. Wetland creation area shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the

wetland surface, and changing the hydrologic regime.

11. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation area is constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

12. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.

13. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

14. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.

15. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

16. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The project location is down gradient of areas in which the NHF&G Department had identified threatened or endangered species.

6. The project design and layout will not directly or indirectly impact the areas identified by the NHF&G.

7. The Department has determined the proposed project will have minimal impacts on the local environment.

2005-01104

AUTY, GENE

DURHAM Great Bay

Requested Action:

Implement construction activities in a total of 17,017 sq. ft. of the tidal buffer zone (including temporary impacts) for work associated with the removal of an existing cottage and building a new garage further landward of the highest observable tide line; construct a wooden deck between the existing residence and the new garage; appurtenant landscaping and paving; replacement septic system and to remove the existing deteriorated timber bulkhead and replace with a stone block retaining wall in the same location.

Conservation Commission/Staff Comments:

No comments received from the Durham Conservation Commission.

Inspection Date: 01/14/2005 by Frank D Richardson

APPROVE PERMIT:

Implement construction activities in a total of 17,017 sq. ft. of the tidal buffer zone (including temporary impacts) for work associated with the removal of an existing cottage and building a new garage further landward of the highest observable tide line; construct a wooden deck between the existing residence and the new garage; appurtenant landscaping and paving; replacement septic system and to remove the existing deteriorated timber bulkhead and replace with a stone block retaining wall in the same location.

With Conditions:

1. All work shall be in accordance with plans by Woodburn & Company Landscape Architecture, LLC dated March 31, 2005 (last revised 06/07/2005), as received by the Department on June 14, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. NH DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on January 14, 2005. Field inspection determined the requested site work is reasonable and the replacement of the deteriorated timber bulkhead is essential to prevent failure and collapse.

2005-01285 MILLER, ANN
ALTON Lake Winnepesaukee

Requested Action:

Permanently remove an existing crib supported "U" shaped docking structure consisting of two 9 ft by 28 ft piers connected by a 9 ft by 2.5 ft walkway and construct two 8 ft by 28 ft permanent piers each supported by two 6 ft by 6 ft cribs connected by a 4 ft by 11 ft permanent walkway in a "U" configuration on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com has no objections

APPROVE PERMIT:

Permanently remove an existing crib supported "U" shaped docking structure consisting of two 9 ft by 28 ft piers connected by a 9 ft by 2.5 ft walkway and construct two 8 ft by 28 ft permanent piers each supported by two 6 ft by 6 ft cribs connected by a 4 ft by 11 ft permanent walkway in a "U" configuration on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans revision dated June 28, 2005, as received by the Department on June 30, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing

structures" were not previously permitted or grandfathered.

4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. Dredged material and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. This permit does not allow for maintenance dredging.
9. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
10. The piers shall not extend more than 28 ft lakeward from the existing concrete anchor.
11. The minimum clear spacing between cribs shall be 12 feet.
12. The maximum size of cribs shall not exceed 6 feet long by 6 feet wide and of such height as necessary to support the docking structure above the water level. Variance to this condition may be sought if water depth is greater than 6 feet.
13. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.04(d), modification of an existing 3 slip docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that the proposed structure meets and exceeds the requirements of Wt 402.20.

MINIMUM IMPACT PROJECT

2000-01146 HAMPTON FALLS, TOWN OF
HAMPTON FALLS Taylor River

Requested Action:

Dredge and fill 880 sq. ft. of palustrine scrub-shrub/emergent wetland to replace the existing 4 ft. x 10 ft. box culvert and headwalls, the installation of three 36 in. culverts, and the installation of a dry hydrant. Temporarily impact 400 sq. ft. of wetland for construction access. Total impacts to DES Wetlands Bureau jurisdiction, permanent and temporary, is 1,280 sq. ft.

Conservation Commission/Staff Comments:

Con. Com. did not report.

Inspection Date: 08/30/2000 by David A Price

APPROVE AMENDMENT:

Dredge and fill 880 sq. ft. of palustrine scrub-shrub/emergent wetland to replace the existing 4 ft. x 10 ft. box culvert and headwalls, the installation of three 36 in. culverts, and the installation of a dry hydrant. Temporarily impact 400 sq. ft. of wetland for construction access. Total impacts to DES Wetlands Bureau jurisdiction, permanent and temporary, is 1,280 sq. ft.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated March 23, 2000 with revisions dated 7/7/2005, as received by the Department on July 08, 2005.
2. Any further alteration of wetlands on this property will require a new application and further permitting by Department of Environmental Services ("DES") Wetlands Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Wetland boundaries at or near the impact areas are to be clearly marked prior to the start of clearing or construction.
7. The impacts associated with the temporary work shall be removed immediately following construction and the area restored to its original condition.
8. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon completion.

2004-01996 SARGENT, ROSS
AUBURN Unnamed Wetland

Requested Action:

Dredge and fill a total of 2,941 square feet of fill in wetlands, including 1,608 square feet of roadside edge fill, and 1,333 square feet of impact to install two 23' x 24" culverts for a 5-lot subdivision on 24.97 acres.

Conservation Commission/Staff Comments:

Conservation Commission requested that restoration of a previous violation area on the property be restored before permit was granted. This has been done.

APPROVE PERMIT:

Dredge and fill a total of 2,941 square feet of fill in wetlands, including 1,608 square feet of roadside edge fill, and 1,333 square feet of impact to install two 23' x 24" culverts for a 5-lot subdivision on 24.97 acres.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Associates, Inc. dated August 2003 and revised 9/1/04, as received by the Department on 6/22/2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Work shall be done during low flow.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant's previous violation impacting 70 square feet was located in a separate area of the project property from that being permitted, and has been restored as requested by the Conservation Commission and directed by DES prior to the issuance of this permit.

2004-02390 GREENLAND, TOWN OF
GREENLAND Unnamed Wetland

Requested Action:

Retain a total of 370 sq. ft. of freshwater wetland impacts for the installation of culverts under Tidewater Farm Road and Orchard Hill Road.

APPROVE AMENDMENT:

Retain a total of 370 sq. ft. of freshwater wetland impacts for the installation of culverts under Tidewater Farm Road and Orchard Hill Road.

With Conditions:

1. Any further alteration of DES Wetlands Bureau jurisdictional areas on this property will require a new application and further permitting by the DES Wetlands Bureau.
2. The work shall be in accordance with plans by Altus Engineering, Inc., as received by the Department on October 4, 2004.
3. The applicant shall construct headwalls for the culverts and stabilize any exposed soil areas within 7 days of headwall construction.

Amended Condition

4. The applicant shall submit to DES photo documentation of the completion of condition # 3 above by September 15, 2005.
5. One of the 18 inch culverts that was installed under Orchard Hill Road shall remain capped.
6. Proper erosion and sedimentation controls shall be in place prior to construction of headwalls, maintained during construction, and shall remain until area is stabilized.

With Findings:

1. This is a minimum impact project per Wt 303.04.
2. This proposal meets the criteria of Chapter Wt 300 for approvable minimum impact projects.
3. This impact was the result of a misinterpretation of the rules and the law contained in Wt 100-800 and RSA 482-A.
4. On March 17, 2005, DES received a drainage analysis for the area prepared by the applicant's agent, Altus Engineering, Inc. Altus Engineering, Inc. determined there is no increase of the peak rate of discharge when comparing the pre-construction peak rate of discharge and post-construction peak rate of discharge.
5. DES waives Wt 304.04(a)(b), requiring projects to be setback 20 ft. from abutters property lines with the finding that the location of the culverts does not represent a danger to abutter or interfere with abutter's access to or use of his property.

2005-00546 PERREAULT, ROLANDA
DEERING Unnamed Wetland

Requested Action:

Dredge and fill 2,826 square feet of palustrine forested wetlands and place a 36 inch x 30 foot culvert in a perennial stream to provide access to one lot of a 2-Lot subdivision

Conservation Commission/Staff Comments:

Conservation commission did not sign the expedited application, and submitted comments.

Inspection Date: 07/15/2005 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 2,826 square feet of palustrine forested wetlands and place a 36 inch x 30 foot culvert in a perennial stream to provide access to one lot of a 2-Lot subdivision

With Conditions:

1. All work shall be in accordance with plans by Dahlberg Land Services, Inc. dated June 29, 2005, as received by the Department on July 1, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. Work shall be done during low flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), to provide access to a piece of property for a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The conservation commission did not sign the expedited application.
6. The conservation commission requested consideration for utilizing an existing residence driveway crossing.
7. The NHF&G Department noted the presence of a species of concern requesting additional review of the proposed project.
8. The Department conducted a site inspection of the project on July 15, 2005. The site inspection determined the proposal is accurately depicted in the plans submitted to the Department.
10. Additional review by the Department and the NHF&G has determined there will be no adverse impacts to the species of concern.
11. The Department determined the project will have a minimal impact to the environment.

Requested Action:

Dredge and fill 1100 square feet of palustrine forested wetland including installation of a 12-inch x 26-foot culvert for access to a proposed commercial development.

Conservation Commission/Staff Comments:

The local conservation commission did not sign the application as there were local restrictions placed on the property.

APPROVE PERMIT:

Dredge and fill 1100 square feet of palustrine forested wetland including installation of a 12-inch x 26-foot culvert for access to a proposed commercial development.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated March 2005, and revised through June 2005, as received by the Department on June 28, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
4. Work shall be done during periods of non-flow.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f); projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant is aware that the deed for this property is restricted from further wetland impact as the result of a local planning board decision. DES informed the applicant that state all of this in our letter dated June 7, 2005, and noted all local permits must be received prior to the start of construction.

2005-00734

JAWITZ SANCTUARY TRUST, ROBERT JAWITZ

CONWAY Unnamed Wetland

Requested Action:

Dredge 6,800 square feet of palustrine emergent/scrub-shrub wetland to construct a pond for wildlife and fire protection, and fill 96 square feet to construct a footbridge.

APPROVE PERMIT:

Dredge 6,800 square feet of palustrine emergent/scrub-shrub wetland to construct a pond for wildlife and fire protection, and fill 96 square feet to construct a footbridge.

With Conditions:

1. All work shall be in accordance with plans remarked by B.H. Keith Associates dated 2/8/05, as received by the Department on 4/15/05.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project is classified as a Minimum Impact Project per NH Administrative Rule Wt 303.04(p), as wetland impacts are less than 20,000 square feet for pond construction.
2. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-00749 LACHANCE REVOC TRUST, LUCILLE
ROCHESTER Unnamed Wetland**

Requested Action:

Approve name change to: RSA Development LLC, 60 Farmington Rd., 400, Rochester NH 03867 per request received 7/22/2005.

APPROVE NAME CHANGE:

Dredge and fill 2,600 square feet of wetlands and install a 12" x 22' culvert for a road way crossing for a 15 lot subdivision.

With Conditions:

1. All work shall be in accordance with revised plans by Norway Plains Associates, Inc. dated 6/28/2005, as received by the Department on July 7, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

8. Work shall be done during low flow.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2005-00980 DIVINO, MARY JANE
RYE Atlantic Ocean

Requested Action:

Repair existing seawall and retaining wall by refacing with 6-inches of stone veneer and resurfacing the existing patio on a single family residential lot on the Atlantic Ocean with 51 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Rye Conservation Commission supports the project with recommendations - see file.

APPROVE PERMIT:

Repair existing seawall and retaining wall by refacing with 6-inches of stone veneer and resurfacing the existing patio on a single family residential lot on the Atlantic Ocean with 51 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Green Penguin Landscaping, LLC dated May 11, 2005, as received by the Department on May 12, 2005.
2. DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. All work on the seaward wall shall done at low tide.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Repair shall maintain existing size, location and configuration.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration. If a wall is to be refaced such additional width shall not exceed 6 inches.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Natural Heritage Bureau (NHNHB) has identified one state species within the vicinity of the project, Beach Grass (*Ammophila breviligulata*). DES review of this application and field inspection finds that the NHNHB identified species will not be impacted as a result of this project.
6. In reference with the letter dated May 30, 2005, from the Rye Conservation Commission voices concern with drainage issues on the existing patio and recommends installing drains to make the area more pervious.

7. The Department finds the proposed plans will sufficiently mitigate any infiltration issue because the total surface area of the patio will be decreased and those areas will be planting beds.

**2005-01200 SEACOAST NEWSPAPERS, PAUL BRIAND
PORTSMOUTH Unnamed Wetland**

Requested Action:

Dredge and fill a total of 1,050 sq. ft. of jurisdictional wetlands to replace a culvert and install three (3) stone check dams in an existing drainage swale.

Conservation Commission/Staff Comments:

The Portsmouth Conservation Commission recommends approval of the project with stipulations.

APPROVE PERMIT:

Dredge and fill a total of 1,050 sq. ft. of jurisdictional wetlands to replace a culvert and install three (3) stone check dams in an existing drainage swale.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated May 16, 2005, as received by the Department on May 31, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Culvert outlets shall be properly rip rapped.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be done during low flow.

**2005-01327 BLODGETT, ANDREW
LANDAFF Seasonal Stream**

CONFIRM EMERGENCY AUTHORIZATION:

Replace three washed-out culverts as a result of heavy rains.

FORESTRY NOTIFICATION

**2005-01650 RANDALL, JOHN & MARGARET
RICHMOND Unnamed Stream**

COMPLETE NOTIFICATION:

Richmond Tax Map 405, Lot# 109

**2005-01655 BAILEY, FREDRICK & JOYCE NELSON
PLYMOUTH Unnamed Stream**

COMPLETE NOTIFICATION:
Plymouth Tax Map 3, Lot# 2-42

2005-01657 PITTSFIELD AQUEDUCT
PITTSFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Pittsfield Tax Map R30, R31 & R43, Lot# 3, 6, 2& 3

2005-01658 NEW ENGLAND FORESTRY FOUNDATION
SANBORNTON Unnamed Stream

COMPLETE NOTIFICATION:
Sanbornton Tax Map 1 & 14, Lot# 11-2 & 1

2005-01667 ACORN, ROBERT & KATHRYN
BEDFORD Unnamed Stream

COMPLETE NOTIFICATION:
Bedford Tax Map 2, Lot# 7

2005-01668 JESSEMAN, WENDELL
CAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
Campton Tax Map 7, Lot# 3

EXPEDITED MINIMUM

2005-01241 HEWITT, SUSAN
JAFFREY Conttcook River

Requested Action:
Impact 800 square feet of an existing drainage swale to extend a storm drain 35-feet for the construction of travel and parking surfaces.

Conservation Commission/Staff Comments:
The Jaffrey Conservation Commission signed the Minimum Impact Expedited Application.
No Comments were received by the LAC.

APPROVE PERMIT:
Impact 800 square feet of an existing drainage swale to extend a storm drain 35-feet for the construction of travel and parking

surfaces.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates dated October 10, 2004 and revised through March 21, 2005, as received by the Department on June 7, 2005.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work shall be done during low flow conditions.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01302 ANDOVER, TOWN OF
ANDOVER Unnamed Stream

Requested Action:

Impact 240 square feet within the bed and banks of perennial stream to replace a deteriorating stone culvert with a 48-inch by 40-foot round culvert beneath Switch Road for safe vehicular passage.

Conservation Commission/Staff Comments:

The Andover Conservation Commission signed the Minimum Impact Expedited application.

APPROVE PERMIT:

Impact 240 square feet within the bed and banks of perennial stream to replace a deteriorating stone culvert with a 48-inch by 40-foot round culvert beneath Switch Road for safe vehicular passage.

With Conditions:

1. All work shall be in accordance with plans by received by the Department on June 20, 2005.

2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
13. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

2005-01329 WINDHAM, TOWN OF
WINDHAM Cobbetts Pond

Requested Action:

Replenish 10 cubic yards of beach sand on Cobbetts Pond.

Conservation Commission/Staff Comments:

The Windham Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Replenish 10 cubic yards of beach sand on Cobbetts Pond.

With Conditions:

1. All work shall be in accordance with plans by Windham Planning and Development dated May 2005, as received by the Department on June 16, 2005.
2. This permit to replenish an existing beach shall not preclude the DES from taking any enforcement action or revocation action if DES later determines that the "existing beach" was not previously permitted or grandfathered.
3. No work shall occur within 20-feet of any property line.
4. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and fish spawning areas shall be avoided.

7. No more than 10 cubic yards of sand may be used.
8. All sand shall be located above and landward of the normal high water line.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(aa) Replenishment of sand on an existing beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01373 HARRISVILLE, TOWN OF
HARRISVILLE Russell Reservoir

Requested Action:

Replenish 10 cubic yards of beach sand on Russell Reservoir.

Conservation Commission/Staff Comments:

The Harrisville Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Replenish 10 cubic yards of beach sand on Russell Reservoir.

With Conditions:

1. All work shall be in accordance with plans by R.E. Sturgis dated June 20, 2005, as received by the Department on June 20, 2005.
2. This permit to replenish an existing beach shall not preclude the DES from taking any enforcement action or revocation action if DES later determines that the "existing beach" was not previously permitted or grandfathered.
3. No work shall occur within 20-feet of any property line.
4. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and fish spawning areas shall be avoided.
7. No more than 10 cubic yards of sand may be used.
8. All sand shall be located above and landward of the normal high water line.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(aa) Replenishment of sand on an existing beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01374 EASTMANS DOCKS LLC, LES EASTMAN JR
SEABROOK Hampton / Seabrook Harbor

Requested Action:

In-kind repair to two (2) existing piers on Hampton/Seabrook Harbor with 152 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Seabrook Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

In-kind repair to two (2) existing piers on Hampton/Seabrook Harbor with 152 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corp. dated May 23, 2005, as received by the Department on June 20, 2005.
2. DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Work shall be done during low tide.
6. Repair shall maintain existing size, location and configuration.
7. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
12. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v) Maintenance, repair, and replacement in-kind of existing docking structures, such as breakwaters, docks, boat houses, piers, wharves, walkways, boat ramps, tie-off pilings, ice clusters, dolphins, or other docking facilities.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01404 HAUERT, DORIS/FRANCIS
WEST CHESTERFIELD Unnamed Wetland

Requested Action:

Dredge 2,000 sq. ft. of wet meadow wetland to create an 8,000 sq. ft. pond.

APPROVE PERMIT:

Dredge 2,000 sq. ft. of wet meadow wetland to create an 8,000 sq. ft. pond.

With Conditions:

1. All work shall be in accordance with plans by Thayer Fellows dated April 1, 2005, as received by NHDES on June 23, 2005.
2. Work shall be done during low flow.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
5. No fill shall be done for lot development.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet ... in wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01446 BAYVIEW CONSTRUCTION CORPORATION
NEWMARKET Unnamed Wetland

Requested Action:

Impact 2,642 square feet of wet meadow for the construction of a driveway and the installation of a 12-inch culvert for access to a commercial lot of 3.03 acres.

Conservation Commission/Staff Comments:

The Newmarket Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 2,642 square feet of wet meadow for the construction of a driveway and the installation of a 12-inch culvert for access to a commercial lot of 3.03 acres.

With Conditions:

1. All work shall be in accordance with plans by Appledor Engineering, Inc. dated May 27, 2005, as received by the Department on June 28, 2005.
2. DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
8. Work shall be done during low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Proper headwalls shall be constructed within seven days of culvert installation.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional wet meadow.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

LAKES-SEASONAL DOCK NOTIF

2005-01639 HORSESHOE POND CONDONINUM ASSOC, C/O DAVID CARLE
MERRIMACK Horseshoe Pond

COMPLETE NOTIFICATION:
Merrimack Tax Map 4D-3, Lot# 93 Horseshoe Pond

ROADWAY MAINTENANCE NOTIF

2005-01664 ACWORTH, TOWN OF
ACWORTH Unnamed Stream

PERMIT BY NOTIFICATION

2005-01445 LATHROP, JEFFERY & SUSAN
FREEDOM Unnamed Stream

Requested Action:

Construct a driveway for a single family home with 5 culverts; culverts 1,2,3 & 5 are 18" x 20' impacting 1137 sq. ft., culvert 4 is 18" x 20' impacting 80 sq. ft. of intermittent stream

Conservation Commission/Staff Comments:

ConCom signature 6/21/05

COMPLETE NOTIFICATION:

Construct a driveway for a single family home with 5 culverts; culverts 1,2,3 & 5 are 18" x 20' impacting 1137 sq. ft., culvert 4 is 18" x 20' impacting 80 sq. ft. of intermittent stream

**2005-01581 NORTHFIELD, TOWN OF
NORTHFIELD Unnamed Wetland**

Requested Action:

Removal of sediment and woody debris and restore channel invert to original grades from the outlet of an existing 36" culvert of an un-maintained drainage swale total impact 4995 sq. ft.

Conservation Commission/Staff Comments:

Town Clerk Signature 06/23/05, ConCom signature 7/06/05

COMPLETE NOTIFICATION:

Removal of sediment and woody debris and restore channel invert to original grades from the outlet of an existing 36" culvert of an un-maintained drainage swale total impact 4995 sq. ft.

**2005-01623 DOVER, CITY OF
DOVER Unnamed Wetland**

Requested Action:

Construct 36' x 4' long wooden bridge across unnamed wetland for City of Dover recreational walking trail as part of an Eagle Scout project.

Conservation Commission/Staff Comments:

ConCom signature 6/6/05.

PBN IS COMPLETE:

Construct 36' x 4' long wooden bridge across unnamed wetland for City of Dover recreational walking trail as part of an Eagle Scout project.

**2005-01659 BLAKEMAN, ANITA & PETER
SUTTON Unnamed Stream**

Requested Action:

Install a 30" x 35'ft ADS culvert in a 14'ft wide driveway for a propped single family home impacting 330 sq. ft. of intermittent stream

Conservation Commission/Staff Comments:

No ConCom signature

COMPLETE NOTIFICATION:

Install a 30" x 35'ft ADS culvert in a 14'ft wide driveway for a propped single family home impacting 330 sq. ft. of intermittent stream

2005-01669 SHANNON, EDWARD
EFFINGHAM Unnamed Pond

Requested Action:

Install an 8" diameter dry hydrant pipe, horizontal run 198.05 ft., 18" from pond bottom and 24" from pond surface. 8.3' from intake to pond surface. Pipe shall be installed in a dry ditch, it possible, and back filled with drainfill no larger than 1" in diameter

COMPLETE NOTIFICATION:

Install an 8" diameter dry hydrant pipe, horizontal run 198.05 ft., 18" from pond bottom and 24" from pond surface. 8.3' from intake to pond surface. Pipe shall be installed in a dry ditch, it possible, and back filled with drainfill no larger than 1" in diameter

2005-01673 OLD FORT NO 4 ASSOCIATES
CHARLESTOWN Connecticut River

Requested Action:

This was an IOD call that Darlene Forst took. The Association wants to move their dock with the water level on the Connecticut River and remove back when the water level rises. Darlene told them they didn't need to file.

Conservation Commission/Staff Comments:

ConCom signature 06/20/05

COMPLETE NOTIFICATION:

This was an IOD call that Darlene Forst took. The Association wants to move their dock with the water level on the Connecticut River and remove back when the water level rises. Darlene told them they didn't need to file.

2005-01684 DADMAN, JAMES
GILFORD Lake Winnepesaukee

COMPLETE NOTIFICATION:

Repair of breakwater end due to ice damage. Replacement of fallen rocks from lakebed